

Sub E1
D1
cytoplasmic domain selected from the group consisting of CD3 zeta, CD3 eta, CD3 gamma, CD3 delta, CD3 epsilon and the gamma chain of the Fc receptor,
wherein said extracellular domain and cytoplasmic are not naturally joined together, [and said cytoplasmic domain is not naturally joined to an extracellular ligand binding domain,] and when said [amino acid sequence] chimeric protein is expressed as a membrane bound protein in a selected mammalian host cell under conditions suitable for expression, said membrane bound protein initiates signalling in said host cell when said extracellular domain binds to [at least one] said ligand.

Kindly cancel without prejudice claim 58.

Claim 61, line 1, delete "60" and insert --57--.

REMARKS

I. A substitute Declaration will be filed shortly.

II. In the fifth and sixth full paragraphs on page 2 of the Office Action, certain claims of the instant application were rejected provisionally under the judicially-created doctrine of obviousness-type double patenting over co-pending application Serial Nos. 465,652 and 125,038.

Applicants note that should the provisional double patenting rejection be the only rejection pending in a case, the Examiner will issue that case. Applicants will take appropriate steps in the other case.